

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

CAROL SCHNEIDER,

CV 05-1402-PK

Plaintiff,

OPINION AND ORDER

v.

UNUM LIFE INSURANCE COMPANY OF
AMERICA,

Defendant.

REDDEN, Judge:

On October 11, 2007, Magistrate Judge Papak issued his Findings and Recommendation (doc. 76) in the above-captioned case, recommending that Defendant's motion for summary judgment (doc. 40) be denied.

The matter is now before this court pursuant to 28 U.S.C. § 636(b)(1)(B) and Rule 72(b)

of the Federal Rules of Civil Procedure. The district court is not bound by the recommendations of the magistrate judge. See 28 U.S.C. § 636(b)(1). When a party timely objects to any portion of the magistrate judge's Findings and Recommendation, the district court must conduct a *de novo* review of the portions of the Findings and Recommendation to which objections are made. 28 U.S.C. § 636(b)(1)(C); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). The district court is not, however, required to review the factual and legal conclusions of the magistrate judge, to which the parties do not object. Thomas v. Arn, 474 U.S. 140, 149 (1985); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003).

Defendant timely filed objections to Magistrate Judge Papak's Findings and Recommendation. I have, therefore, given those portions of the Findings and Recommendation a *de novo* review. I agree with Magistrate Judge Papak's analysis and conclusions. Accordingly, I ADOPT Magistrate Judge Papak's Findings and Recommendation as my own opinion.

IT IS SO ORDERED.

DATED this 8 day of January, 2008.


James A. Redden
Senior United States District Judge